

Exhibit R

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COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.
Indictment No. BRCR2002-0773

SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS

vs.

FRANCESCO CIAMBRIELLO

BEFORE: CHIN, J.

TRIAL TRANSCRIPT

APPEARANCES:

Jeanne M. Veenstra, Assistant District Attorney,
Bristol District, 888 Purchase Street, New Bedford,
Massachusetts 02740, for the Commonwealth.

David R. Ardito, Esq., BISIO & DUPONT, 228 County
Street, Attleboro, Massachusetts 02703, for the
Defendant.

New Bedford Superior Courthouse
New Bedford, Massachusetts
Wednesday, November 19, 2003

MARILYN SILVIA
Official Court Reporter

I N D E X

<u>Witnesses</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Heather Kiernan				
by Ms. Veenstra:	23			100
by Mr. Ardito:			54	
Larry Silvestre				
by Ms. Veenstra:	100			
by Mr. Ardito:			102	
Suzanne Silva				
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Michael Pascetta				
by Ms. Veenstra:	117			
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John Kiernan				
by Ms. Veenstra:	127			
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Christina Parrott				
by Ms. Veenstra:	135			
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E X H I B I T S

<u>No.</u> <u>Evid.</u>	<u>Description</u>	<u>Iden.</u>
1	Videotape	60

1 mean to say I was dragged.

2 Q. You didn't mean to say you were dragged?

3 A. No.

4 Q. And do you remember telling Detective Otrando that
5 your hands were behind your back?

6 A. I don't recall.

7 Q. Okay. If Detective Otrando said that, would he be
8 lying?

9 MS. VEENSTRA: Objection.

10 THE COURT: Sustained.

11 Q. What did you tell Detective Otrando?

12 A. I'm not understanding your question.

13 Q. How did you tell -- what did you tell Detective
14 Otrando about Mr. Ciambriello leading you down to
15 Jay's office?

16 A. What I meant to tell --

17 Q. What you meant to tell?

18 A. Yes.

19 Q. You did tell him the truth?

20 A. Yes, I told him the truth.

21 Q. What was that truth?

22 A. That Mr. Ciambriello was behind me with his arm
23 behind me.

24 Q. You never used the words "dragged" or "pulled,"
25 that's your testimony today?

1 A. That's not my testimony. I said I made a mistake.

2 Q. Well, I'm asking you point blank, did you use the
3 word "drag" or "pull"?

4 A. Yes.

5 Q. And that's not true, is it?

6 A. I didn't mean to say dragged.

7 Q. I'm asking you, is that true or not true? That's
8 not true?

9 A. I'm not understanding what you're asking.

10 Q. You told Detective Otrando you were dragged or
11 pulled, was that the truth? Yes or no.

12 A. That I told him this?

13 Q. Yes.

14 A. Yes.

15 Q. But you weren't in fact dragged or pulled?

16 A. I was escorted.

17 Q. That's not my question. Answer my question. Were
18 you dragged or pulled?

19 A. No.

20 Q. So you lied to Detective Otrando?

21 A. No.

22 Q. You told him the truth?

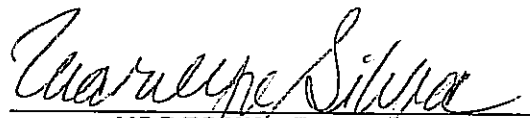
23 A. I wasn't thinking clearly at that time.

24 Q. We'll move on.

25 MR. ARDITO: Your Honor, at this time I

CERTIFICATE

I, Marilyn J. Silvia, Official Court Reporter, do hereby certify that the foregoing record, Pages 1-1 through 1-156 is a complete, accurate, and true transcription of my stenographic notes taken in the aforementioned matter to the best of my skills and ability.



MARILYN J. SILVIA
Official Court Reporter

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